



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

December 12, 1996

Mr. Christopher P. Borreca  
Bracewell & Patterson, L.L.P.  
711 Louisiana Street, Suite 2900  
Houston, Texas 77002-2781

OR96-2386

Dear Mr. Borreca:

On behalf of the Friendswood Independent School District (the "school district"), you ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 102726.

The school district received a request for "information concerning any parties involved in lawsuits or litigation concerning Special Education in FISD for the past 6 years" and the "costs involved in such litigation." You seek to withhold certain highlighted portions of attorney fee bills to the district pursuant to section 552.107 of the Government Code.<sup>1</sup>

Section 552.107(1) excepts information that an attorney cannot disclose because of a duty to his client. In Open Records Decision No. 574 (1990), this office concluded that section 552.107 excepts from public disclosure only "privileged information," that is, information that reflects either confidential communications from the client to the attorney or the attorney's legal advice or opinions; it does not apply to all client information held by a governmental body's attorney. *Id.* at 5. When communications from attorney to client do not reveal the client's communications to the attorney, section 552.107 protects them only to the extent that such communications reveal the attorney's legal opinion or advice. *Id.* at 3. In addition, basically factual communications from attorney to client, or between attorneys representing the client, are not protected. *Id.* We find that most of the information you have

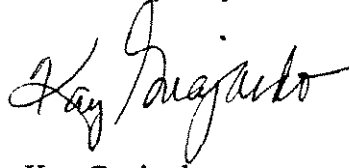
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<sup>1</sup>Although you also raised sections 552.101, 552.103, and 552.114 of the Government Code, you did not explain, nor is it apparent to this office, how these exceptions apply to the requested information. Consequently, we do not consider these exceptions. See Gov't Code § 552.301(b)(1).

highlighted may be withheld under section 552.107. We have marked that information which does not reveal the client's communications to the attorney or the attorney's legal opinion or advice and which, therefore, may not be withheld under section 552.107. The unhighlighted portions of the attorney fee bills must also be released to the requestor.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "Kay Guajardo". The signature is fluid and cursive, with the first name "Kay" and last name "Guajardo" clearly distinguishable.

Kay Guajardo  
Assistant Attorney General  
Open Records Division

KHG/rho

Ref.: ID# 102726

Enclosures: Submitted documents

cc: Ms. Kathy Morrow  
909 Boundary Court  
Friendswood, Texas 77546  
(w/o enclosures)